PATENT
Customer No. 22,852
Attorney Docket No. 05725.0446-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Serge RESTLÉ et al.	)	Group Art Unit: 1617
	)	
Application No.: 09/360,521	)	Examiner: G. Mitchell
	)	
Filed: July 23, 1999	)	Confirmation No.: 4299
	)	
For: AMINATED SILICONE DETERGENT COSMETIC COMPOSITION AND USE	)	

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER BOARD RULE § 41.37

In support of the Notice of Appeal filed January 24, 2006, and further to Board Rule 41.37, Appellants present this brief and enclose herewith a check for the fee of $500.00 required under 37 C.F.R. § 1.17(c).

This Appeal Brief is being filed concurrently with a petition for an Extension of Time for two months, and the appropriate fee.

This Appeal responds to the August 24, 2005, final rejection of claims 1-47.

If any additional fees are required or if the enclosed payment is insufficient, Appellants request that the required fees be charged to Deposit Account No. 06-0916.

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Real Party In Interest

L'Oréal S.A. is the assignee of record, as indicated by the assignment in its name, recorded at Reel 10317, Frame 0488.

Related Appeals and Interferences

Appellants, Appellants' undersigned legal representative, and the assignee know of no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

Status Of Claims

Claims 1-47 are pending. Claims 1-47 have been finally rejected by the Examiner, and Appellants appeal the rejection of those claims. Further to 37 C.F.R. § 41.37(c)(1)(iii), the attached Appendix contains a clean copy of the claims.

Status of Amendments

All amendments have been entered. No amendments under 37 C.F.R. § 1.116 have been filed.

Summary Of Claimed Subject Matter

The present invention generally relates to cosmetic compositions with improved properties intended for simultaneous cleaning and conditioning of keratinous substances, such as hair, and comprising (A) anionic and amphoteric surfactants and (B) an aminated silicone having an amine number of greater than or equal to 0.4 meq/g. *Specification*, page 1, lines 1-7; claim 1.

It is known to clean or wash keratin substances, such as hair, with detergent compositions containing surfactants. *Specification*, page 1, lines 8-11. These compositions have good washing power but may have poor cosmetic properties. *Specification*, page 1, lines 15-20. For example, because detergent compositions may aggressively clean the keratin fibers, they may damage the fibers because of the gradual removal of lipids or proteins found at the surface of the fiber. *Id.*

Therefore, to improve the cosmetic properties of detergent compositions, conditioning agents have been added to these compositions. *Specification,* page 2, lines 5-8. For example, silicones and insoluble silicones have been used as conditioning agents. *Specification,* page 2, lines 9-11. Insoluble compounds, such as insoluble silicones may, however, be difficult to maintain in suspension when included in compositions. *Id.* Thus, to maintain these compounds in solution, one skilled in the art would add pearlescent agents or gelling agents. *Specification,* page 2, lines 12-14. But these compounds also have disadvantages. *Specification,* page 2, lines 14-20.

For example, pearlescent agents may exhibit crystallization problems which may change the compositions' viscosity over time. *Id.* The gelling agents may, for example, degrade the compositions foaming properties. *Id.* Moreover, both gelling agents and

pearlescent agents may not make it possible to obtain transparent or clear compositions. *Specification,* page 2, line 20-page 3, line 2.

Thus, Appellants have discovered that the combination of the claimed washing base and at least one animated silicone as claimed makes it possible to obtain stable and transparent compositions exhibiting excellent cosmetic properties. *Specification,* page 3, lines 8-14; claim 1.

More particularly, the present invention relates to detergent and conditioning cosmetic compositions comprising in a cosmetically acceptable aqueous medium, (A) a base comprising at least one anionic surfactant and at least one amphoteric surfactant and (B) a conditioner system comprising at least one aminated silicone chosen from

(a) aminated silicone polymers corresponding to the formula:

R'_aG_{3-a}-$Si(OSiG_2)_n$-$(OSiG_bR'_{2-b})_m$-O-SiG_{3-a}-R'_a (I)

in which:

G is chosen from a hydrogen atom, phenyl, OH, and C_1-C_8 alkyl groups;

a is chosen from 0, 1, 2, and 3;

b is chosen from 0 and 1;

m and n are chosen from numbers such that the sum (n+m) varies from 1 to 2000;

R' is chosen from monovalent radicals of formula $-C_qH_{2q}L$, wherein q is chosen from a number ranging from 2 to 8 and L is chosen from optionally quaternized amino groups chosen from:

$-N(R")-CH_2-CH_2-N(R")_2$,

$-N(R'')_2$,

$-N^+(R'')_3A^-$,

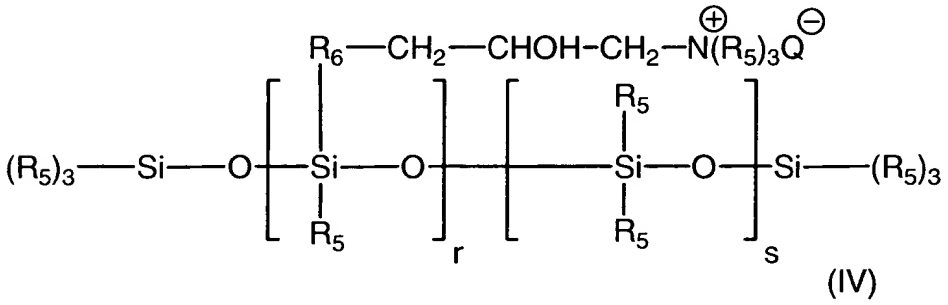
$-N^+H(R'')_2A^-$,

$-N^+H_2(R'')A^-$, and

$-N(R'')-CH_2-CH_2-N^{\rho}R''H_2A^-$,

wherein R", which are identical or different, are chosen from a hydrogen atom, and phenyl, benzyl and saturated monovalent hydrocarbon-comprising radicals, and A^- is chosen from organic and inorganic anions; and

(b) cationic silicone polymers corresponding to the following formula (IV):



(IV)

in which:

R_5 is chosen from monovalent hydrocarbon-comprising radicals having from 1 to 18 carbon atoms;

R_6 is chosen from divalent hydrocarbon-comprising radicals;

Q^- is chosen from organic and inorganic anions;

r represents a mean statistical value ranging from 2 to 20;

s represents a mean statistical value ranging from 20 to 200; and

the amine number of which is greater than or equal to 0.4 meq/g,

wherein the amphoteric surfactant/anionic surfactant ratio is greater than or equal to 0.2:1. Page 4, lines 1-7. Moreover, the inventive compositions disclosed are transparent. Claim 1, Example 2.

Another aspect of this invention relates to the use of the above composition for cleaning and/or removing make-up from and/or conditioning keratinous substances, such as the hair and the skin. Page 5, lines 8-10.

Grounds of Rejection

A. Claims 1-32, 34-41, and 43-47 stand rejected under 35 U.S.C. § 103(a) as unpatentable over WO 97/46210 (using U.S. Patent No. 6,451,747 to Decoster as an English language equivalent) ("Decoster '747") in view of WO 97/46211 to Decoster ("Decoster '211"); and

B. Claims 33 and 42 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Decoster '747 and Decoster '211 in view of U.S. Patent No. 5,476,649 to Naito et al. ("Naito").

Argument

Several basic factual inquires must be made in order to determine the obviousness or non-obviousness of claims of a patent application under 35 U.S.C. § 103. These factual inquiries, set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459, 467 (1966), require the Examiner to:

> (1) Determine the scope and content of the prior art;
> (2) Ascertain the differences between the prior art and the claims in issue;
> (3) Resolve the level of ordinary skill in the pertinent art; and
> (4) Evaluate evidence of secondary considerations.

The obviousness or nonobviousness of the claimed invention is then evaluated in view of the results of these inquiries. *Graham*, 383 U.S. at 17-18, 148 U.S.P.Q. 467.

In order to carry the initial burden of establishing a prima facie case of obviousness that satisfies the *Graham* standard, the Examiner must show that the cited prior art references teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). The Examiner must also show that there is some suggestion or motivation, either in the references, or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. *In re Rouffet*, 149 F.3d 1350, 47 USPQ2d 1453 (Fed. Cir. 1998). Finally, the Examiner must show that the select teachings could be combined with a reasonable expectation of success. *In re Dow Chem.*, 837 F.2d 469, 473, 5 USPQ2d 1529, 1531 (Fed. Cir. 1988). In the present case, the Examiner has not set forth showings sufficient to establish at least two of these requirements.

A. Claims 1-9, 13-32, 34-41, and 43-47

Claims 1-9 and 3-32, 34-41, and 43-47 stand rejected under 35 U.S.C. § 103(a) as unpatentable over WO 97/46210, for which the Examiner is relying on Decoster '747 as a translation, in view of an English language translation of Decoster '211. For the purposes of this Appeal Brief, Appellants are relying on U.S. Patent No. 6,153,570 ("the '570 Patent") as an English language equivalent of Decoster '211. *Office Action* dated August 24, 2005, page 2. Appellants respectfully submit that this rejection is in error and should be reversed.

Decoster '747 is cited by the Examiner as exemplifying a composition comprising laurylethersulfate of sodium (anionic surfactant), cocylbetaine (amphoteric surfactant), aminosilicone (aminated silicone), guar gum modified by chloride of 2,3-epoxypropyl trimethylammonium (cationic polymer), where the amphoteric/anionic surfactant ratio is 0.23. *Office Action* dated February 8, 2005, page 3. The Examiner admits, however, that Decoster '747 does not teach or suggest an aminated silicone with an amine number of greater than or equal to 0.4 meq/g, as set forth in the present claims. *Office Action* dated August 24, 2004, page 3.

To provide this missing amine index value, the Examiner then turns to Decoster '211. The Examiner argues that Decoster '211 discloses aminated silicones for an identical use as that of Decoster '747. *Id.*, page 4. Moreover, the Examiner notes that Decoster '211 discloses aminated silicones with an amine index ranging from 0.01 and 1 meq/g and aminated silicones with an amine index equal to 0.5 meq/g. *Id.* The Examiner then concludes that "a skilled artisan would have recognized an aminated

silicone of Decoster '747, possessing an amine index value as claimed, would be useful in detergent cosmetic composition for the hair." *Id.*

The Examiner thus concludes that a prima facie case of obviousness has been established. Appellants disagree.

1. The Examiner Replaces the Requirement of Making Specific Factual Findings With the Unsupported Knowledge of One Skilled in the Art

Would one skilled in the art have known to use an amine index value of greater than 0.4 meq/g merely by reading Decoster '747? No. But the Examiner contends that one skilled in the art would combine his or her knowledge with the teachings of Decoster '747 to somehow arrive at the claimed invention. The fundamental problem with this approach is the Examiner does not explain what steps one skilled in the art would have had to take to arrive at this conclusion. An analysis of both the cited references, moreover, doesn't provide an explanation either.

Decoster '211 discloses structurally different amine-containing silicones than those presently claimed, although this fact is not clearly acknowledged in the Office Action. Yet the Examiner uses this reference to establish what one skilled in the art would have known at the time of invention. Indeed, the Examiner contends that "the mere fact that one of ordinary skill in the art would recognize an aminated silicone with an amine index value of 0.5 meq/g is useful in a detergent composition for the hair is sufficient suggestion to render the instant claims obvious over [Decoster] '747." *Office Action* dated August 24, 2005, page 4. This is simply incorrect.

First and foremost, it is well-established that an examiner cannot fill gaps in an obviousness inquiry with "common knowledge" or what he or she perceives to be "well

known by one of ordinary skill in the art." Obviousness is not a subjective inquiry. Indeed, the Federal Circuit has repeatedly held that examiners should not simply rely on common knowledge to reject a patent claim:

> With respect to core factual findings in the determination of patentability . . . the Board cannot simply reach conclusions based on its understanding or experience - or an assessment of what would be basic knowledge or common sense. Rather, the Board must point to some concrete evidence in the record in support of these findings.

In re Zurko, 258 F.3d 1379, 1385-86, 59 U.S.P.Q2d 1693, 1697 (Fed. Cir. 2001)(reversing Board's § 103 rejection); *see also In re Lee,* 277 F.3d 1338, 1345, 61 U.S.P.Q.2d 1430, 1435 (Fed. Cir. 2002)("Common knowledge and common sense, even if assumed to derive from the agency's expertise, does not substitute for authority when the law requires authority."). As recently explained by the Federal Circuit, rejections on obviousness grounds cannot be sustained by mere conclusory statements; rather, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *In re Kahn* ,441 F.3d 977, 888 78 U.S.P.Q. 2d 1329, 1336 (Fed. Cir. 2006). No such "articulated reasoning with rational underpinning" has been provided here by the Examiner.

Moreover, although the Examiner attempts to argue on the record that Decoster '211 represents the knowledge of one skilled in the art, no logical line of reasoning has been presented, nor do Appellants believe it exists, as to why one skilled in the art would take an amine value from a structurally different compound to use with the aminated silicone disclosed in Decoster '767. Broad unsupported generalizations about the use of amine index numbers based on the disclosure of structurally different compounds is not logical.

Indeed, Decoster '211 makes no reference to that fact that the amine index value alone is important. Rather, Decoster '211 specifically links the amine index with a specific amine containing silicone. For example, Decoster '211 touts the benefits of a particular silicone:

> [B]y using a **specific and suitably selected** amine-containing silicone [of formula (I)] in detergent compositions containing conventional cationic polymers and conditioning agents, it is possible to substantially and significantly improve the cosmetic properties attached to these compositions while retaining their good intrinsic washing power.

Decoster '211, Col. 1, lines 59-67 (emphasis added). Moreover, Decoster '211 describes its invention as having essential components, including a "conditioning system comprising . . . (ii) the **specific** amine-containing silicone or silicones." Col. 2, lines 43-47 (emphasis added). Thus, Decoster '211 simply does not provide any basis for making generalizations about the use of a certain amine index number; at best, it suggests the use of the specific amine-containing silicone disclosed therein with an amine number ranging from 0.01 to 1 meq/g.

For the Examiner to extrapolate from Decoster '211 that any or all amine-containing silicones having formulae distinct from Decoster '211 should have the same or even similar amine numbers, especially when used in compositions distinct from those of Decoster '211 is improper. In fact, as evidenced by Appellants' own specification, it is known to use a host of aminated silicones with different amine numbers: VP 1480 (Wacker) - 0.12-0.15 meq/g; Finish WR 100 (Wacker) - 0.15 meq/g; Silsoft TP 515 (OSI) - 0.058 meq/g; L650 (Wacker) - 2.7-3.2 meq/g. *Specification*, pages 22-23. Although it was known in the art at the time of the present invention that an amine number within the range of 0.01 to 1 meq/g could be used, one skilled in the

art would have also certainly known to use an amine number outside the scope of this range. Thus, it is equally plausible for one skilled in the art to use an amine index of less than 0.4 meq/g based on the Examiner's logic. The Examiner's reliance on the knowledge of one skilled in the art is therefore misplaced and, moreover, legally improper.

2. Decoster '747 Teaches Away From the Claimed Invention

Appellants also submit that Decoster '747 teaches away from the use of an amine number of greater than or equal to 0.4 meq/g by disclosing that aminosilicones with amine numbers less than 0.1 meq/g are advantageous. "A reference may be said to teach away when a person of ordinary skill, upon reading the reference, would be discouraged from following the path set out in the reference, or would be led in a direction divergent from the path that was taken by the application . . . . " *Tec Air, Inc. v. Denso Mfg. Michigan, Inc.,* 192 F.3d 1353, 1360, 52USPQ2d 1295, 1298 (Fed. Cir. 1999). This teaching away undercuts the Examiner's conclusion of obviousness.

The Examiner argues that the amine values disclosed in Decoster '747 are within the range that is taught to be useful by Decoster '211. *Office Action* dated August 24, 2005, page 4. Thus, the skilled artisan would have recognized an aminated silicone of '747, possessing the claimed amine value, would be useful in a detergent cosmetic composition for the hair. *Id.* This is a incorrect interpretation of Decoster '211.

Decoster '747 does not disclose a range of amine values that Decoster '211 teaches as useful. Appellants wish to draw the Board's attention to the Example described in column 13 of the '570 patent. In this example, Fluid DC 939 is used as the "amine-containing silicone" in the comparative composition. Col. 13, lines 53-55. When

this composition is compared with the inventive composition, the expert panel concludes that the inventive composition represents a "marked improvement" over the comparative composition.

Notably, Fluid DC 939 is the very same aminated silicone used in both the Invention Compositions described in columns 20-21 in Decoster '747. Moreover, Fluid DC 939 has an amine index value of less that 0.1 meq/g. *Present Specification*, page 23, line 3. Thus, Decoster '747 discloses an aminated silicone that is disclosed not to be useful by Decoster '211. Moreover, Decoster '747 discloses the use of an amine index value of less that 0.1 and as a result teaches away from the claimed invention.

Appellants recognize that a reference that teaches away, nonetheless, may have relevance in an obviousness analysis for all it does teach. Indeed, the Examiner, citing a string of case law, has contended that "it is well established that consideration of a reference it is not limited to the preferred embodiments or working examples, but extends to the entire disclosure for what it fairly teaches . . . ." *Office Action* dated August 24, 20005, page 5. Appellants contend, however, that even when Decoster '747 is viewed in its entirety it does not teach or suggest the claimed invention even when combined with the knowledge of one skilled in the art.

Although all the claimed elements were known in the art, none of the prior art teaches the specific combination claimed. Particularly, none of the references disclose an aminated silicone, as claimed, with a amine value of greater or equal to 0.4 meq/g. Moreover, Decoster '747 makes no suggestion to substitute an amine value of less than 0.1 meq/g for an amine value of greater than or equal to 0.4 meq/g. There is still no suggestion for this substitution even if one skilled in the art knew that it was possible to

use different amine values. How would one skilled in the art have known which number to pick? Given the fact that Decoster '747 used an aminated silicone that worked perfectly well with its compositions, one skilled in the art would not have thought to swap it for some other type of silicone. Thus, given these teachings, one skilled in the art would not have sought to modify Decoster '747 to arrive at the claimed invention.

3. The Examiner Has Given no Weight to the Transparency Limitation

The Examiner has also, in effect, ignored the "transparency" limitation required by the present claims. Rather than providing a substantive response, the Examiner relies on the incantation of general legal concepts that do nothing to address or support the rejection. This is not proper.

More particularly, the Examiner contends that Appellant's arguments regarding the transparency of the composition are not persuasive because a product and its properties are inseperable. *Office Action* dated August 24, 2005 (citing *In re Papesch,* 315 F.2d 381, 137 USPQ 43 (CCPA 1963). *In re Papesch*, however, actually held that a compound can be patented on the basis of its properties, i.e., "[t]here is no basis in law for ignoring any property." 315 F.2d 381, 137 U.S.P.Q. 43 (C.C.P.A. 1963). Thus, the Examiner simply has no legal basis to ignore claim limitations.

Moreover, because none of the explicit recitations of compositions in Decoster '747 or Decoster '211 are transparent, the Examiner must therefore rely on some implicit showing to meet this limitation. Appellants note that the Examiner cites nothing in either reference that shows a desire for or concern with transparency. Simply because the claimed limitations are within the capabilities of one skilled in the art is not sufficient to establish a *prima facie* case of obviousness. *In re Kotzab*, 217 F.3d 1365,

1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). Thus, for at least this additional reason, the rejection is improper.

4. No Reasonable Expectation of Success Existed in Making the Claimed Invention

Finally, the comparative examples in the present specification provide evidence of a lack of expectation for success in making the modifications suggested by the Examiner. For instance, as shown in Example 1 at pages 20 and 21 of the present specification, two shampoo compositions differing only in their amphoteric/anionic surfactant ratios have different transparencies. Specifically, comparative composition "B," which has an amphoteric/anionic surfactant ratio of 0.14, is not transparent. In contrast, composition "A," which has an amphoteric/anionic surfactant ratio of 0.33, is transparent. Further, hair shampooed with composition "A" more readily disentangles, and was softer and smoother than hair shampooed with composition "B."

Additionally, with specific respect to the aminated silicone, Example 2 on pages 21-23 of the present specification directly compares eleven compositions, six of which have an aminated silicone with an amine number of less than 0.4 meq/g, and five of which have an aminated silicone with an amine number of greater than or equal to 0.4 meq/g. Consistently, the compositions with the lower amine numbers were not transparent and not stable, while those with the higher amine number were both transparent and stable.

Appellants submit that there is no basis in the cited references or anywhere in the record from which one would expect these results. The evidence shows that there would have been no reasonable certainty in selecting the proper surfactant ratio and aminated silicone to create a transparent and stable composition. Accordingly, because

one skilled in the art would not have had a reasonable expectation and making the claimed invention the rejection is in error and should be reversed.

B. Claims 10-12

Claims 10-12 also stand rejected under 35 U.S.C. § 103(a) as unpatentable over Decoster '747 in view of Decoster '211. Appellants disagree with this rejection for the reasons discussed in detail under subsection A.

Moreover, Appellants contend that the rejection of these claims is improper because neither Decoster '747 or Decoster '211 teach or suggest the use of the specific surfactant ratios recited in claims 10-12. Nor has the Examiner even attempted to identify where these claimed ratios are taught by the cited references. Accordingly, for at least this additional reason, the rejections of these claims should be reversed.

C. Claims 33 and 42

Claims 33 and 42 are rejected under 35 U.S.C. § 103(a) over Decoster '747 in view of Decoster '211 and further in view of Naito. Appellants respectfully traverse this rejection.

The Examiner admits that Decoster '747 and Decoster '211 lacks a teaching or suggestion of 18-methyl-eicosanoic acid and polyalkylene glycols. *Office Action* dated August 24, 2005, page 6. The Examiner attempts to remedy these deficiencies by reliance on Naito. This reliance is misplaced.

First, because Naito has not been cited for and does not overcome the aforementioned defeciencies of Decoster '747 and Decoster '211, this further reference combination taken together fails to establish a prima facie case of obviousness.

Second, in fashioning the present rejection, the Examiner has engaged in an impermissible hindsight analysis in an attempt to reconstruct the claimed invention based on piecemeal disclosures in the various references. Specifically, the Examiner has provided no evidence or teaching as to why 18-methyl-eicosanoic acid or polyalkylene glycol would be chosen from the broad disclosure of Natio. The basis for the Examiner's position is that "18-methyleicosanoic acid is exemplified as a fatty acid useful therein." *Office Action* dated August 24, 2005, page 6. But the Examiner provides no reason as to why one skilled in the art would have selected polyalkylene glycol, other than the fact that the Examiner contends it is disclosed in the "Summary of Invention." Office Action dated July 28, 2004, page 10.

All that the Examined has done, however, was demonstrate that 18-methyl-eicosanoic acid and polyalkylene glycol are known in the art. In *In re Kotzab*, 217 F.3d at 1371, 55 USPQ2d at 1317, however, the Federal Circuit held that a rejection cannot be predicated on the mere identification in [a prior-art reference] of individual components of claimed limitations. Rather, particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed." *Id.* The Examiner has made no such findings here.

Instead, the Examiner summarily rejects Appellants arguments by pointing to isolated disclosures in Naito. *Office Action* dated August 24, 2005, page 6. Appellants maintain, however, that merely because the Examiner can find a single component in the prior art is not a substitute for a teaching, suggestion, or motivation to select and

use that particular compound in an unrelated disclosure. Thus, for at least these reasons, Appellants respectfully request that the rejection be reversed and withdrawn.

Conclusion

For the reasons given above, pending claims 1-47 are allowable, and reversal of the Examiner's rejection is respectfully requested.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 24, 2006

By: Mareesa A. Frederick
Mareesa A. Frederick
Reg. No. 55,190

Claims Appendix to Appeal Brief Under Rule 41.37(c)(1)(viii)

1. A detergent and conditioning cosmetic composition, comprising:

(A) a washing base comprising at least one anionic surfactant and at least one amphoteric surfactant, wherein the amphoteric surfactant/anionic surfactant ratio by weight is greater than or equal to 0.2:1;

(B) a conditioner system comprising at least one aminated silicone having an amine number greater than or equal to 0.4 meq/g, said at least one aminated silicone being chosen from:

(a) aminated silicone polymers corresponding to the formula:

$$R'_aG_{3-a}\text{-}Si(OSiG_2)_n\text{-}(OSiG_bR'_{2-b})_m\text{-}O\text{-}SiG_{3-a}\text{-}R'_a \qquad (I)$$

in which:

G is chosen from a hydrogen atom, phenyl, OH, and C_1-C_8 alkyl groups;

a is chosen from 0, 1, 2, and 3;

b is chosen from 0 and 1;

m and n are chosen from numbers such that the sum (n+m) varies from 1 to 2000;

R' is chosen from monovalent radicals of formula $-C_qH_{2q}L$, wherein q is chosen from a number ranging from 2 to 8 and L is chosen from optionally quaternized amino groups chosen from:

$-N(R'')-CH_2-CH_2-N(R'')_2$,

$-N(R'')_2$,

$-N^+(R")_3A^-$,

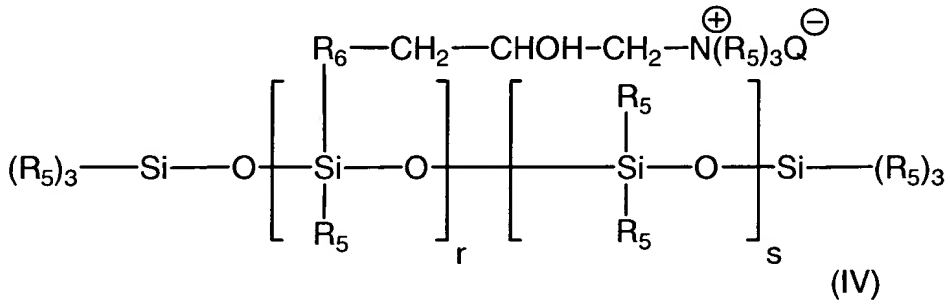
$-N^+H(R")_2A^-$,

$-N^+H_2(R")A^-$, and

$-N(R")-CH_2-CH_2-N^{\rho}R"H_2A^-$,

wherein R", which are identical or different, are chosen from a hydrogen atom, and phenyl, benzyl and saturated monovalent hydrocarbon-comprising radicals, and A^- is chosen from organic and inorganic anions; and

(b) cationic silicone polymers corresponding to the following formula (IV):



(IV)

in which:

R_5 is chosen from monovalent hydrocarbon-comprising radicals having from 1 to 18 carbon atoms;

R_6 is chosen from divalent hydrocarbon-comprising radicals;

Q^- is chosen from organic and inorganic anions;

r represents a mean statistical value ranging from 2 to 20;

s represents a mean statistical value ranging from 20 to 200; and

(C) at least one cationic polymer;

wherein the composition is transparent.

2. The composition according to Claim 1, wherein the amine number ranges from 0.5 to 5 meq/g.

3. The composition according to Claim 1, wherein said washing base is present in said composition in an amount ranging from 4% to 50% by weight with respect to the total weight of the composition.

4. The composition according to Claim 3, wherein the amount of washing base ranges from 6% to 35% by weight relative to the total weight of the composition.

5. The composition according to Claim 4, wherein the amount of washing base ranges from 8% to 25% by weight relative to the total weight of the composition.

6. The composition according to Claim 1, wherein said at least one anionic surfactant is present in said composition in an amount ranging from 3 to 30% by weight relative to the total weight of the composition.

7. The composition according to Claim 6, wherein the amount of said at least one anionic surfactant ranges from 5% to 20% by weight relative to the total weight of the composition.

8. The composition according to Claim 1, wherein the at least one amphoteric surfactant is present in said composition an amount ranging from 1 to 20% by weight, relative to the total weight of the composition.

9. The composition according to Claim 8, wherein the amount of the at least one amphoteric surfactant ranges from 1.5 to 15% by weight, relative to the total weight of the composition.

10. The composition according to Claim 1, wherein the amphoteric surfactant/anionic surfactant ratio by weight ranges from 0.2:1 to 10:1.

11. The composition according to Claim 10, wherein the amphoteric surfactant/anionic surfactant ratio by weight ranges from 0.25:1 to 5:1.

12. The composition according to Claim 11, wherein the amphoteric surfactant/anionic surfactant ratio by weight ranges from 0.3:1 to 3:1.

13. The composition according to Claim 1, wherein G is a methyl group.

14. The composition according to Claim 1, wherein a is 0.

15. The composition according to Claim 1, wherein b is 1.

16. The composition according to Claim 1, wherein the sum (n+m) varies from 50 to 150.

17. The composition according to Claim 1, wherein n is chosen from the numbers 0 to 1999 and m is chosen from the numbers 1 to 2000.

18. The composition according to Claim 17, wherein n is chosen from the numbers 49 to 149.

19. The composition according to Claim 17, wherein m is chosen from the numbers 1 to 10.

20. The composition according to Claim 1, wherein the saturated monovalent hydrocarbon-comprising radicals are chosen from alkyl radicals having from 1 to 20 carbon atoms.

21. The composition according to Claim 20, wherein the saturated monovalent hydrocarbon-comprising radicals are a methyl radical.

22. The composition according to Claim 1, wherein R_5 is chosen from C_1-C_{18} alkyl and C_2-C_{18} alkenyl radicals.

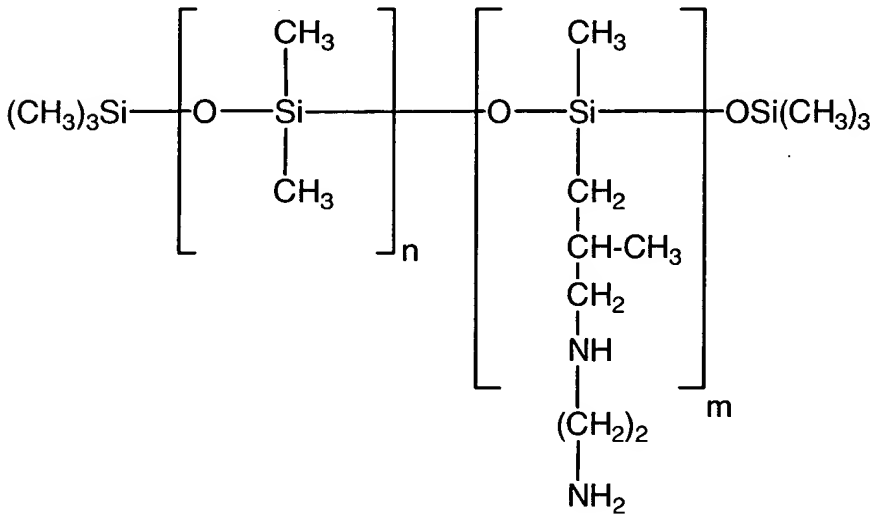
23. The composition according to Claim 22, wherein R_5 is a methyl radical.

24. The composition according to Claim 1, wherein R_6 is chosen from divalent C_1-C_{18} alkylene radicals and divalent C_1-C_{18} alkyleneoxy radicals.

25. The composition according to claim 24, wherein R_6 is chosen from divalent C_1-C_8 alkylene radicals and divalent C_1-C_8 alkyleneoxy radicals.

26. The composition according to Claim 1, wherein the at least one aminated silicone is chosen from:

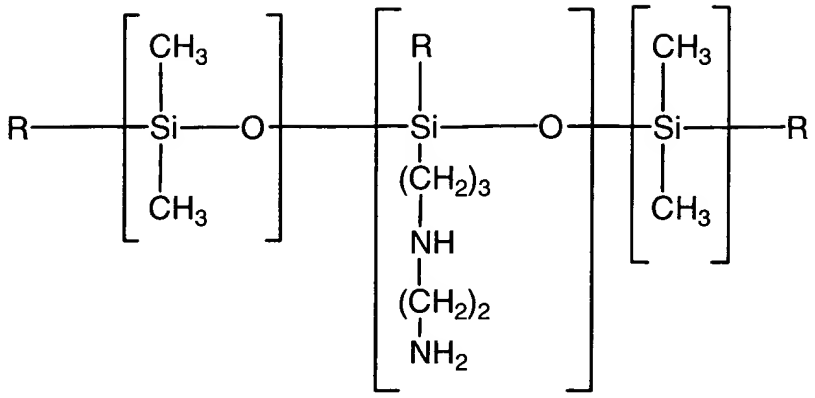
- trimethylsilylamodimethicone polymers having the formula:



(II)

in which m and n are chosen from numbers such that the sum (n+m) ranges from 1 to 2000; and,

- amodimethicone polymer having the formula:



(III)

in which R is chosen from OH and methyl.

27. The composition according to Claim 26, wherein n is chosen from the numbers 0 to 1999 and m is chosen from the numbers 1 to 2000.

28. The composition according to Claim 27, wherein n is chosen from the numbers 49 to 149.

29. The composition according to Claim 27, wherein m is chosen from the numbers 1 to 10.

30. The composition according to Claim 1, wherein the at least one aminated silicone is present in said composition in an amount ranging from 0.05 to 15% by weight relative to the total weight of the composition.

31. The composition according to Claim 30, wherein the amount of said at least one aminated silicone ranges from 0.2 to 10% by weight relative to the total weight of the composition.

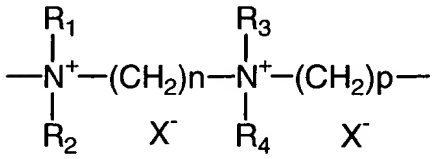
32. The composition according to Claim 1, wherein said composition further comprises at least one adjuvant chosen from cationic surface-active agents; anionic, non-ionic and amphoteric polymers; proteins; protein hydrolysates; ceramides;

pseudoceramides; fatty acids comprising linear C_{16}-C_{40} chains; fatty acids comprising branched C_{16}-C_{40} chains; hydroxy acids; vitamins; panthenol; volatile and non-volatile silicones other than the silicones defined in formula (I) and (IV) of Claim 1, said other silicones being soluble or insoluble in the medium; UV screening agents; moisturizing agents; antidandruff and antiseborrhoeic agents; and agents for combating free radicals.

33. The composition according to Claim 32, wherein said fatty acid is 18-methyl-eicosanoic acid.

34. The composition according to Claim 1, wherein the at least one cationic polymer is chosen from quaternary derivatives of cellulose ether; diallyldimethylammonium salt homopolymers; copolymers of diallyldimethylammonium salt and acrylamide; cationic polysaccharides; and copolymers of vinylpyrrolidone and methylvinylimidazolium salt.

35. The composition according to Claim 1, wherein the at least one cationic polymer is chosen from polymers comprising repeat units corresponding to the formula:



(a)

in which R_1, R_2, R_3 and R_4, which are identical or different, are chosen from alkyl and hydroxyalkyl radicals having from 1 to 4 carbon atoms, n and p are chosen from integers ranging from 2 to 20 and X^- is chosen from anions of inorganic and organic acids.

36. The composition according to Claim 1, wherein the at least one cationic polymer is present in said composition in an amount ranging from 0.001% to 10% by weight, relative to the total weight of the composition.

37. The composition according to Claim 36, wherein the amount of the at least one cationic polymer ranges from 0.005% to 5% by weight, relative to the total weight of the composition.

38. The composition according to Claim 37, wherein the amount of the at least one cationic polymer ranges from 0.01% to 3% by weight, relative to the total weight of the composition.

39. The composition according to Claim 1, further comprising a cosmetically acceptable aqueous medium, wherein said medium is chosen from water and a mixture of water and a cosmetically acceptable solvent.

40. The composition according to Claim 39, wherein the cosmetically acceptable solvent is chosen from C_1-C_{12} alcohols, polyols, and glycol ethers.

41. The composition according to Claim 40, wherein:

the C_1-C_{12} alcohols are chosen from ethanol, isopropanol, tert-butanol, n-butanol, hexanol and decanol; and

the polyols are chosen from alkylene glycols.

42. The composition according to Claim 41 wherein the alkylene glycols are chosen from propylene glycol, glycerol and poly(alkylene glycol)s.

43. The composition according to Claim 39, wherein said solvent is present in an amount ranging from 0.1 to 20% by weight relative to the total weight of the composition.

44. A composition for cleaning or removing make-up from keratinous substances, or for conditioning keratinous substances, comprising:

(A) a washing base comprising at least one anionic surfactant and at least one amphoteric surfactant, wherein the amphoteric surfactant/anionic surfactant ratio by weight is greater than or equal to 0.2:1;

(B) a conditioner system comprising at least one aminated silicone having an amine number greater than or equal to 0.4 meq/g, said at least one aminated silicone being chosen from:

(a) aminated silicone polymers corresponding to the formula:

$$R'_aG_{3-a}\text{-}Si(OSiG_2)_n\text{-}(OSiG_bR'_{2-b})_m\text{-}O\text{-}SiG_{3-a}\text{-}R'_a \qquad (I)$$

in which:

G is chosen from a hydrogen atom, phenyl, OH, and C_1-C_8 alkyl groups;

a is chosen from 0, 1, 2, and 3;

b is chosen from 0 and 1;

m and n are chosen from numbers such that the sum (n+m) varies from 1 to 2000;

R' is chosen from monovalent radicals of formula $-C_qH_{2q}L$, wherein q is chosen from a number ranging from 2 to 8 and L is chosen from optionally quaternized amino groups chosen from:

$-N(R'')\text{-}CH_2\text{-}CH_2\text{-}N(R'')_2$,

$-N(R'')_2$,

$-N^+(R'')_3A^-$,

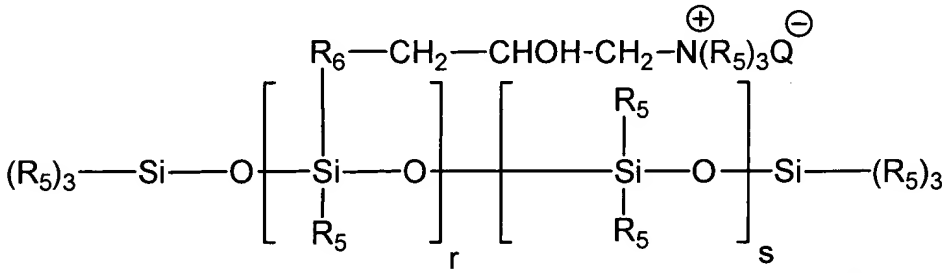
$-N^+(R'')_2A^-$,

$-N^+H_2(R'')A^-$, and

$-N(R'')-CH_2-CH_2-N^{\rho}R''H_2A^-$,

wherein R", which are identical or different, are chosen from a hydrogen atom, and phenyl, benzyl and saturated monovalent hydrocarbon-comprising radicals, and A^- is chosen from organic and inorganic anions; and

(b) cationic silicone polymers corresponding to the following formula (IV):



(IV)

in which:

R_5 is chosen from monovalent hydrocarbon-comprising radicals having from 1 to 18 carbon atoms;

R_6 is chosen from divalent hydrocarbon-comprising radicals;

Q^- is chosen from organic and inorganic anions;

r represents a mean statistical value ranging from 2 to 20;

s represents a mean statistical value ranging from 20 to 200; and

(C) at least one cationic polymer;

wherein the composition is transparent.

45. A shampoo comprising:

(A) a washing base comprising at least one anionic surfactant and at least one amphoteric surfactant, wherein the amphoteric surfactant/anionic surfactant ratio by weight is greater than or equal to 0.2:1;

(B) a conditioner system comprising at least one aminated silicone having an amine number greater than or equal to 0.4 meq/g, said at least one aminated silicone being chosen from:

(a) aminated silicone polymers corresponding to the formula:

$$R'_aG_{3-a}\text{-}Si(OSiG_2)_n\text{-}(OSiG_bR'_{2-b})_m\text{-}O\text{-}SiG_{3-a}\text{-}R'_a \qquad (I)$$

in which:

G is chosen from a hydrogen atom, phenyl, OH, and C_1-C_8 alkyl groups;

a is chosen from 0, 1, 2, and 3;

b is chosen from 0 and 1;

m and n are chosen from numbers such that the sum (n+m) varies from 1 to 2000;

R' is chosen from monovalent radicals of formula $-C_qH_{2q}L$, wherein q is chosen from a number ranging from 2 to 8 and L is chosen from optionally quaternized amino groups chosen from:

$-N(R'')\text{-}CH_2\text{-}CH_2\text{-}N(R'')_2$,

$-N(R'')_2$,

$-N^t(R'')_3A^-$,

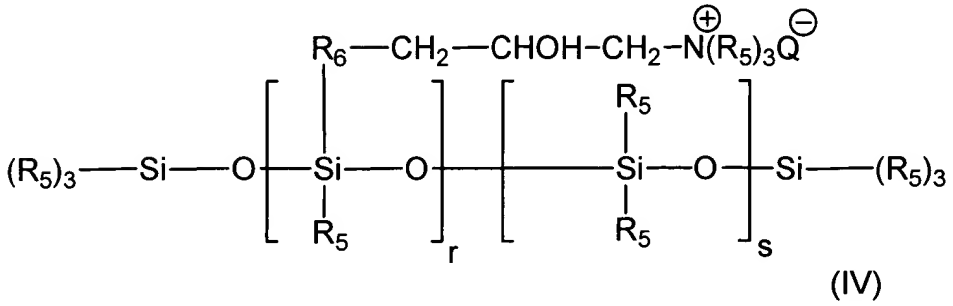
$-N^tH(R'')_2A^-$,

$-N^tH_2(R'')A^-$, and

$-N(R'')\text{-}CH_2\text{-}CH_2\text{-}N^pR''H_2A^-$,

wherein R'', which are identical or different, are chosen from a hydrogen atom, and phenyl, benzyl and saturated monovalent hydrocarbon-comprising radicals, and A^- is chosen from organic and inorganic anions; and

(b) cationic silicone polymers corresponding to the following formula (IV):



(IV)

in which:

R_5 is chosen from monovalent hydrocarbon-comprising radicals having from 1 to 18 carbon atoms;

R_6 is chosen from divalent hydrocarbon-comprising radicals;

Q^- is chosen from organic and inorganic anions;

r represents a mean statistical value ranging from 2 to 20;

s represents a mean statistical value ranging from 20 to 200; and

(C) at least one cationic polymer;

wherein the shampoo is transparent.

46. A process for washing and for conditioning keratinous substances, comprising:

applying an effective amount of a detergent and conditioning cosmetic composition to wetted keratinous substances; and, subsequently,

rinsing said keratinous substances with water, after an optional period of rest, said detergent and conditioning cosmetic composition comprising:

(A) a washing base comprising at least one anionic surfactant and at least one amphoteric surfactant, wherein the amphoteric surfactant/anionic surfactant ratio by weight is greater than or equal to 0.2:1;

(B) a conditioner system comprising at least one aminated silicone having an amine number greater than or equal to 0.4 meq/g, said at least one aminated silicone being chosen from:

(a) aminated silicone polymers corresponding to the formula:

$$R'_aG_{3-a}\text{-}Si(OSiG_2)_n\text{-}(OSiG_bR'_{2-b})_m\text{-}O\text{-}SiG_{3-a}\text{-}R'_a \quad (I)$$

in which:

G is chosen from a hydrogen atom, phenyl, OH, and C_1-C_8 alkyl groups;

a is chosen from 0, 1, 2, and 3;

b is chosen from 0 and 1;

m and n are chosen from numbers such that the sum (n+m) varies from 1 to 2000;

R' is chosen from monovalent radicals of formula $-C_qH_{2q}L$, wherein q is chosen from a number ranging from 2 to 8 and L is chosen from optionally quaternized amino groups chosen from:

$-N(R")-CH_2-CH_2-N(R")_2$,

$-N(R")_2$,

$-N^t(R")_3A^-$,

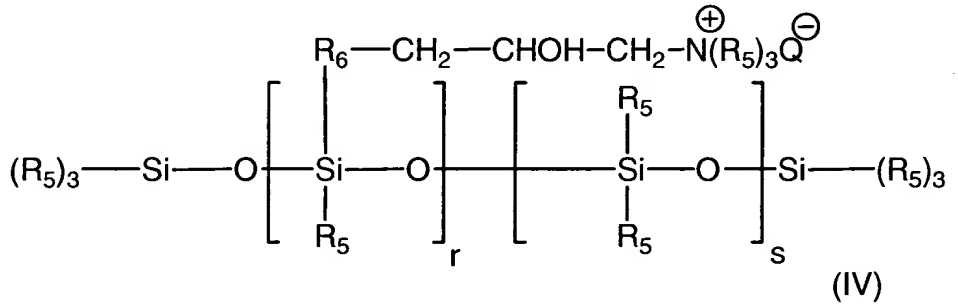
$-N^tH(R")_2A^-$,

$-N^tH_2(R")A^-$, and

$-N(R")-CH_2-CH_2-N^{\oplus}R"H_2A^{\ominus}$,

wherein R", which are identical or different, are chosen from a hydrogen atom, and phenyl, benzyl and saturated monovalent hydrocarbon-comprising radicals, and A^- is chosen from organic and inorganic anions; and

(b) cationic silicone polymers corresponding to the following formula (IV):



(IV)

in which:

R_5 is chosen from monovalent hydrocarbon-comprising radicals having from 1 to 18 carbon atoms;

R_6 is chosen from divalent hydrocarbon-comprising radicals;

Q^- is chosen from organic and inorganic anions;

r represents a mean statistical value ranging from 2 to 20;

s represents a mean statistical value ranging from 20 to 200; and

(C) at least one cationic polymer;

wherein the cosmetic composition is transparent.

47. A detergent and conditioning cosmetic composition, comprising:

(A) a washing base comprising at least one anionic surfactant and at least one amphoteric surfactant, wherein the amphoteric surfactant/anionic surfactant ratio by

weight ranges from 0.2:1 to 10:1, and wherein said washing base is present in the composition in an amount ranging from 4 to 50% by weight relative to the total weight of the composition;

(B) a conditioner system comprising at least one aminated silicone having an amine number ranging from 0.5 meq/g to 5.0 meq/g, said at least one aminated silicone being chosen from:

(a) aminated silicone polymers corresponding to the formula:

$$R'_aG_{3-a}\text{-}Si(OSiG_2)_n\text{-}(OSiG_bR'_{2-b})_m\text{-}O\text{-}SiG_{3-a}\text{-}R'_a \qquad (I)$$

in which:

G is chosen from OH, and methyl;

a is chosen from 0, 1, 2, and 3;

b is 1;

m and n are chosen from numbers such that the sum (n+m) varies from 1 to 2000;

R' is chosen from monovalent radicals of formula $-C_qH_{2q}L$, wherein q is chosen from a number ranging from 2 to 8 and L is chosen from optionally quaternized amino groups chosen from:

$-N(R'')\text{-}CH_2\text{-}CH_2\text{-}N(R'')_2$,

$-N(R'')_2$,

$-N^+(R'')_3A^-$,

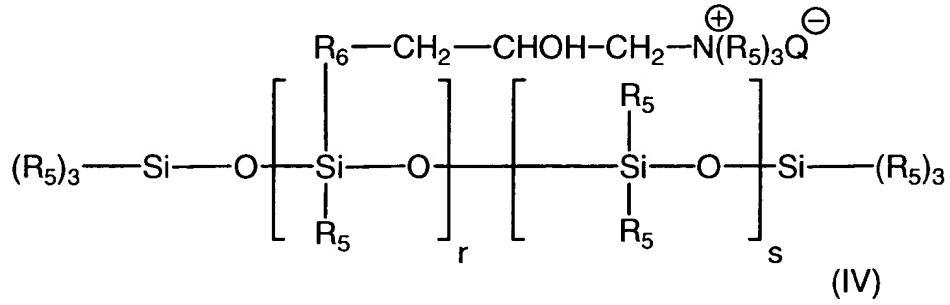
$-N^+H(R'')_2A^-$,

$-N^+H_2(R'')A^-$, and

$-N(R")-CH_2-CH_2-N^{\oplus}R"H_2A^{\ominus}$,

wherein R", which are identical or different, are chosen from a hydrogen atom, and phenyl, benzyl and saturated monovalent hydrocarbon-comprising radicals, and $A^{\ominus}$ is chosen from organic and inorganic anions; and

(b) cationic silicone polymers corresponding to the following formula (IV):



(IV)

in which:

R_5 is chosen from monovalent hydrocarbon-comprising radicals having from 1 to 18 carbon atoms;

R_6 is chosen from divalent hydrocarbon-comprising radicals;

$Q^{\ominus}$ is chosen from organic and inorganic anions;

r represents a mean statistical value ranging from 2 to 20;

s represents a mean statistical value ranging from 20 to 200; and

(C) at least one cationic polymer;

wherein the composition is transparent.